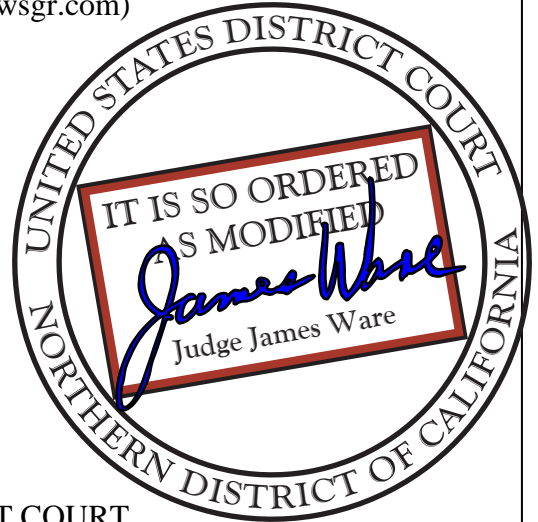


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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE UTSTARCOM, INC.
SECURITIES LITIGATION

This Document Relates To:
ALL ACTIONS.

) Master File No. C-04-4908-JW(PVT)

) **JOINT STIPULATION AND**
) **[Proposed] ORDER REGARDING**
) **BRIEFING SCHEDULE AND**
) **EXPANDED PAGE LIMITS FOR**
) **DEFENDANTS' MOTIONS TO**
) **DISMISS THE FOURTH AMENDED**
) **CONSOLIDATED COMPLAINT**

JOINT STIP. AND [PROPOSED] ORDER RE
BRIEFING SCHEDULE AND EXPANDED PAGE
LIMITS FOR DEFS' MOTIONS TO DISMISS THE
FOURTH AMENDED COMPLAINT
CASE No. C-04-4908-JW(PVT)

1 WHEREAS, on May 14, 2008, plaintiffs filed a Fourth Amended Complaint, which is
2 approximately 150 pages in length, not including appended exhibits;

3 WHEREAS, on June 13, consistent with the Court's March 14, 2008 Order dismissing the
4 Third Amended Complaint, defendants filed objections to the form and content of the Fourth
5 Amended Complaint;

6 WHEREAS, on July 24, 2008, the Court overruled defendants' objections to the Fourth
7 Amended Complaint;

8 WHEREAS, the Court's July 24, 2008 order overruling defendants' objections to the
9 Fourth Amended Complaint does not specify a due date for defendants' motions to dismiss or
10 motions to strike;

11 WHEREAS, in order to accommodate counsel's schedules and in the interest of
12 efficiency, the parties have conferred and agreed to a schedule for the parties to brief defendants'
13 motions to dismiss and motions to strike the Fourth Amended Complaint;

14 WHEREAS, Civil L.R. 7-2(b) and Civil L.R. 7-3(a) and (c) provide for page limits that
15 are not sufficient for the contemplated motions to dismiss, motions to strike, and supporting
16 memoranda that defendants UTStarcom, Inc., Hong Liang Lu, Michael J. Sophie, Ying Wu, and
17 Thomas Toy (the "UTStarcom Defendants") anticipate filing, and that plaintiffs anticipate
18 opposing, in that the parties desire to address the numerous allegations in a comprehensive and
19 thorough fashion;

20 WHEREAS, on July 9, 2007, the Court previously granted a similar proposed stipulation
21 allowing expanded page limits regarding the UTStarcom Defendants' motion to dismiss the Third
22 Amended Complaint, consisting of 50 pages for the opening and opposing briefs and 25 pages for
23 the reply;

24 WHEREAS, the UTStarcom Defendants believe that they need no more than 50 pages
25 combined for their motions to dismiss, motions to strike, and supporting memoranda;

26 WHEREAS, plaintiffs believe they need no more than 50 pages combined for their
27 opposition to the UTStarcom Defendants' motion to dismiss and motion to strike;

1 WHEREAS, the UTStarcom Defendants believe that they need no more than 30 pages
2 combined for their reply briefs in support of their motions to dismiss and motions to strike; and

3 WHEREAS, defendants Softbank America, Inc., Softbank Holdings, Inc. and Softbank
4 Corp. (the "Softbank Defendants") do not need and are not requesting an expansion of the page
5 limits provided for in Civil L.R. 7-2(b) and Civil L.R. 7-3(a) and (c) for the briefing on their
6 contemplated motion to dismiss.

7 THEREFORE, the parties hereby STIPULATE and AGREE as follows:

8 1. Defendants' motions to dismiss and motions to strike the Fourth Amended
9 Complaint shall be filed no later than September 8, 2008;

10 2. Plaintiffs briefs in opposition to defendants' motions to dismiss and motions to
11 strike the Fourth Amended Complaint shall be filed no later than October 24, 2008;

12 3. Defendants reply briefs in support of their motions to dismiss and motions to strike
13 the Fourth Amended Complaint shall be filed no later than November 24, 2008;

14 4. The hearing on defendants' motions to dismiss and motions to strike the Fourth
15 Amended Complaint shall be set for **December 8, 2008 at 9 a.m.**

16 5. The UTStarcom Defendants' motions to dismiss and motions to strike will not
17 exceed 50 pages combined, exclusive of the caption pages, the tables of contents, tables of
18 authorities, requests for judicial notice, declarations, and exhibits.

19 6. Plaintiffs' Opposition to the UTStarcom Defendants' motions to dismiss and
20 motions to strike will not exceed 50 pages combined, exclusive of the caption pages, the tables of
21 contents, tables of authorities, requests for judicial notice, declarations, and exhibits.

1 7. The UTStarcom Defendants' reply briefs in support of their motions to dismiss
2 and motions to strike will not exceed 30 pages combined, exclusive of the caption pages, the
3 tables of contents, tables of authorities, requests for judicial notice, declarations, and exhibits.
4

5 IT IS SO STIPULATED.

6 Dated: August 1, 2008

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

8 By: /s/BAHRAM SEYEDIN-NOOR
BAHRAM SEYEDIN-NOOR

9 Attorneys for Defendants UTStarcom Inc., Hong
10 Liang Lu, Michael J. Sophie, Ying Wu, and Thomas
11 Toy

12
13 Dated: August 1, 2008

SULLIVAN & CROMWELL LLP

14
15 By: /s/ROBERT A. SACKS
ROBERT A. SACKS

16 Attorneys for Defendants SOFTBANK America,
17 Inc., SOFTBANK Holdings, Inc. and SOFTBANK
18 Corporation

19
20 Dated: August 1, 2008

LERACH COUGHLIN STOIA GELLER
RUDMAN & ROBBINS LLP

21
22 By: /s/SHIRLEY H. HUANG
SHIRLEY H. HUANG

23 Attorneys for Plaintiffs
24
25
26
27

1 I, Bryan Ketrosier, am the ECF User whose identification and password are being used to
2 file this Joint Stipulation and [Proposed] Order Regarding Briefing Schedule and Expanded Page
3 Limits for Defendants' Motions to Dismiss the Fourth Amended Complaint. I hereby attest that
4 Bahram Seyedin-Noor, Shirley Huang and Robert Sacks concur in this filing.

5 Dated: August 1, 2008

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

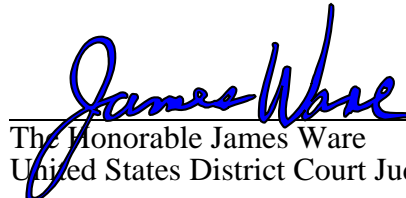
6
7 By: /s/BRYAN KETROSER
BRYAN KETROSER

8
9 Attorneys for Defendants UTStarcom Inc., Hong
Liang Lu, Michael J. Sophie, Ying Wu, and Thomas
10 Toy

ORDER

PURSUANT TO THIS STIPULATION, AND GOOD CAUSE APPEARING, IT IS SO
ORDERED AS MODIFIED.

Dated: August 6, 2008


The Honorable James Ware
United States District Court Judge